REMARKS

Claims 1, 2, and 5-17 are currently pending in the present application. In this Response, Applicant has provided remarks that explain some of the differences between the present invention and the references cited by the Examiner. In light of these differences, Applicant submits that the present application is in condition for allowance.

THE OBJECTIONS TO THE CLAIMS

At page 3 of the Office Action, claim 14 was objected to because of a grammatical error. In response, Applicant has amended claim 14 to correct the formality. In light of the amendment, withdrawal of the objection is respectfully requested.

THE REJECTIONS UNDER 35 U.S.C. § 101

At pages 3-4 of the Office Action, the Examiner rejected claims 1, 2, 5, and 6 under 35 U.S.C. § 101 as not falling within one of the four statutory categories of invention. In response, Applicant has amended claim 1 to clarify that one aspect of the present invention includes a processor operable to perform the steps recited by claims 1 and 15. *See, e.g.,* Written Description at Page 4, lines 11-13. In light of these amendments, Applicant submits that the Examiner's § 101 rejections have been overcome. Reconsideration and withdrawal of the rejections is respectfully requested.

THE REJECTION UNDER 35 U.S.C. § 112

The Rejections Under § 112(1)

At pages 4-6 of the Office Action, the Examiner rejected claims 1, 2, 5-17 under 35 U.S.C. § 112, first paragraph, as failing to comply with the Written Description requirement. Specifically, the Examiner states that there is no support for the recitation in claim 1 of determining whether the parts were placed on the sensor in a sequence when it is determined that the sets match and when the plurality of parts are placed within the predetermined period of time of one another. Office Action at Page 5. The Examiner also could not find support for the recitation in claim 14 that it is determined whether the sequence of data sets are in a specified order when it is determined that the data sets match and that the determining whether the sets are in a specified order also occurs when the data sets are obtained within the predetermined period of time. *Id.*

Applicant directs the Examiner to page 2, lines 4-9 of the Written Description, which specifically states that it is determined whether the parts are placed on a sensor in a sequence.

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In addition, the Written Description, on page 6, lines 6-8, describes that the parts can be placed on the sensors within a predetermined period of time. Thus, the recitations of claims 1 and 14 are clearly disclosed by the Written Description of the present invention. As such, reconsideration and withdrawal of the § 112(1) rejections is respectfully requested.

The Rejections Under 35 U.S.C. § 112(2)

At pages 5-6 of the Office Action, the Examiner rejected claims 14-17 under 35 U.S.C. § 112, second paragraph, as being indefinite. Specifically, the Examiner asserted that claim 14 recited "the method" in line 1 without sufficient antecedent basis. In response, Applicant has amended claim 14 to provide the proper antecedent basis. In light of this amendment, Applicant submits that the Examiner's § 112(2) rejection has been overcome. Reconsideration and withdrawal of the rejection is respectfully requested.

THE REJECTIONS UNDER 35 U.S.C. § 102

At pages 6-9 of the Office Action, the Examiner rejected claims 1, 2, 6, 7, 11, 14, and 15 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,944,773 to Abrahams ("Abrahams"). For at least the reasons set forth below, Applicant submits that the Examiner's rejections have been overcome.

Abrahams discloses a method of online authentication that includes having a user present one or more fingerprints for authentication during an online transaction. *See* Abstract. As one feature, Abrahams allows a time-out loop to be used. *See* Col. 6, lines 4-5. The time-out loop would require that the user enter the requested fingerprint within a predetermined amount of time. *Id.* at Col. 6, lines 5-7. If the time-out loop expires before the user enters the requested fingerprint, the user would not be authenticated. *Id.* at Col. 6, lines 7-9. In other words, Abrahams discloses a time-out loop that requires a fingerprint to be input within a predetermined time <u>of when the fingerprint is requested</u>.

In contrast, as recited by independent claims 1, 7, and 14, one aspect of the present invention includes determining whether the fingerprints are required within a predetermined period of time <u>of one another</u>. Abrahams does not teach or suggest this feature of the present invention. Because Abrahams fails to teach each and every feature of the present invention recited by the claims, Applicant submits that the Examiner's § 102 rejection has been overcome. As such, reconsideration and allowance of the pending claims is respectfully requested.

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THE REJECTIONS UNDER 35 U.S.C. § 103

Claims 5, 8, 9, and 17 were also rejected under 35 U.S.C. § 103 as being obvious over Abrahams in view of U.S. Patent No. 6,393,139 to Lin *et al.* ("Lin"). Claim 10 was also rejected under 35 U.S.C. § 1032 as being obvious over Abrahams in view of U.S. Patent No. 5,864,296 to Upton ("Upton"). Finally, claim 12 was rejected under § 103 as being obvious over Abrahams in view of U.S. Patent No. 5,594,806 to Colbert ("Colbert").

As set forth above, however, Abrahams fails to teach or suggest each and every feature of the present invention recited by the claims. Lin, Upton, and Colbert similarly fail to cure the deficiencies of Abrahams. As such, Applicant submits that the Examiner's § 103 rejections have also been overcome. Reconsideration and allowance of the pending claims is respectfully requested.

CONCLUSION

All claims are believed to be in condition for allowance. Applicant invites the Examiner to contact the undersigned attorneys to discuss any issues pertaining to the patentability of the pending claims. A Petition for Extension of Time is submitted herewith extending the period for response one month to and including April 16, 2010. No other fees are believed to be due at this time. Should any other fees be required, however, please charge such fee to Hanify & King, P.C. Deposit Account No. 50-4545, Order No. 5231-094-US01.

Respectfully Submitted,

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Dated: April 16, 2010

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